

Wetlands Bureau Decision Report

Decisions Taken
05/01/2006 to 05/07/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02033 NH DEPT OF TRANSPORTATION
SALEM Unnamed Wetland

Requested Action:

Dredge and /or fill approximately 76 acres of mostly palustrine and riverine wetlands to improve the capacity, efficiency and safety along 19.8 miles of Interstate 93. The existing limited access, two lane highway will be widened to create a limited access four lane highway starting at the Massachusetts/New Hampshire state line in Salem and ending just north of the I-93/I-293 interchange in Manchester. The project includes improvements to five existing interchanges and cross roads, construction of three new Park and Ride facilities at Exit 2, 3 and 5, expanded bus service at Exit 4, and space to accommodate a future rail corridor between the Massachusetts/New Hampshire state line northerly to the Exit 5 interchange.

Compensation for wetland impacts includes: construction of approximately 31 acres of wetlands at five sites; preservation of approximately 1,000 acres of upland and wetland habitat; construction of detention basins and extended treatment swales; a \$3 million contribution to the NHDES Drinking Water Supply Land Grant Program or to a comparable program for funding aquatic resource protection in the Massabesic Lake watershed; and establishment of a \$3.5 million fund for the Community Technical Assistance Program to help area communities plan for growth as a result of the project.
NHDOT project #10418-C.

Conservation Commission/Staff Comments:

Project is located in Towns of Salem, Windham, Derry, Londonderry, and Manchester.

Salem Cons. Comm. intervened and report recommends approval with conditions (rec. 10/25/02)

APPROVE PERMIT:

Dredge and /or fill approximately 76 acres of mostly palustrine and riverine wetlands to improve the capacity, efficiency and safety along 19.8 miles of Interstate 93. The existing limited access, two lane highway will be widened to create a limited access four lane highway starting at the Massachusetts/New Hampshire state line in Salem and ending just north of the I-93/I-293 interchange in Manchester. The project includes improvements to five existing interchanges and cross roads, construction of three new Park and Ride facilities at Exit 2, 3 and 5, expanded bus service at Exit 4, and space to accommodate a future rail corridor between the Massachusetts/New Hampshire state line northerly to the Exit 5 interchange.

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NHDOT project #10418-C.

With Conditions:

1. The wetland impacts associated with this approval are based on the Amended New Hampshire Department of Environmental Services Wetlands Bureau (hereinafter "NHDES")/Army Corps of Engineers permit application received on August 12, 2004 (hereinafter "the Application").
2. During final design and construction work, wetland impacts that exceed 76 acres as represented in the Application and materials contained in NHDES file, shall require submittal of a permit amendment request to be reviewed and approved by NHDES after consultation with the appropriate local Conservation Commission(s).
3. During final design of the roadway construction plans, a joint review shall be conducted by state and federal resource agencies

regarding proposed water quality treatment features such as grass swales or detention basins that may cause additional jurisdictional impacts for construction to confirm need, location, and necessity for a permit amendment.

4. Final design plans for roadway construction shall be submitted to NHDES and appropriate local Conservation Commission(s) for each construction contract with a summary of wetland impacts for the associated contract work. Review and comments from NHDES and Conservation Commissions shall be considered by the NH Department of Transportation (hereinafter "NHDOT") and incorporated into the design where appropriate.
5. During final design, efforts to avoid or minimize wetland and surface water impacts shall be maximized by constructing steepened side slopes, retaining walls, and accommodations for wildlife passage.
6. NHDOT will study the feasibility of reconstructing existing culverts at Policy Brook and Porcupine Brook in Salem, Beaver Brook in Derry, and Cohas Brook in Manchester, to address wildlife passage issues. These measures will be fully evaluated as part of the final design and incorporated into plans where practicable.
7. This permit shall not be effective until it has been recorded with the county Registry of Deeds offices by NHDOT. A copy of the registered permit shall be submitted to NHDES prior to construction.
8. This permit is contingent on approval by the NHDES Dam Safety Program.
9. NHDOT will comply with the provisions of the Section 401 Water Quality certification upon its issuance and noncompliance shall be considered a violation of the conditions of this permit.
10. A water quality monitoring program will be developed and implemented in accordance with requirements established by NHDES, Watershed Management Bureau.
11. This permit is contingent on NHDOT providing funding for establishment of an additional Environmentalist IV position within DES to provide for construction monitoring, minor modifications during final design and minor permitting changes due to unanticipated obstacles and conflicts during construction. This position shall be funded continuously through the completion of the project to ensure that all permit conditions are satisfied, including monitoring of all mitigation areas. The details for funding this position will be fully detailed in a memorandum of agreement to be negotiated and executed between NHDOT and NHDES no later than September 1, 2006.
12. Measures to mitigate impacts to the perennial wildflower wild lupine listed by the NH Natural Heritage Bureau (hereinafter "NHB") as a state threatened species will be addressed by completing a written mitigation plan specific to the population in the project area in consultation with NHB. The plan shall focus on efforts to relocate the individual plants by means of re-seeding or transplantation.
13. Potential habitat areas for the eastern hognose snake shall be determined using GIS-level analysis prior to construction to determine if the species will be impacted by the project in coordination with the NH Fish and Game Department (hereinafter "NHF&G").
14. Dredged material shall be placed out of NHDES jurisdiction unless otherwise specified.
15. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to the NHDES for review and approval. Those plans shall detail the timing and method of stream flow diversion during construction, and the temporary siltation, erosion and turbidity control measures to be implemented.
16. At least 48 hours prior to the start of each construction contract, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the NHDES or NHDOT Offices in Concord, N.H. to review the conditions of this permit, the NHDES Water Quality Certificate, and any other environmental commitments stated in other approved documents such as the Interstate 93 Improvements Salem to Manchester Final Environmental Impact Statement (hereinafter "FEIS"). It shall be the responsibility of NHDOT to schedule the pre-construction meeting, and the meeting shall be attended by NHDOT, the contract administrator(s), wetlands scientist(s), wildlife professional(s), and the contractor(s) responsible for performing the work.
17. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
18. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction and until all areas are fully stabilized.
19. Appropriate storm water management and erosion control Best Management Practices (BMPs) shall be implemented to ensure turbidity is minimized and water quality standards are not violated. If the BMPs conflict with the terms or conditions of this permit, the terms and conditions of this permit shall control.
20. Construction equipment shall not be located within surface waters.
21. There shall be no further alteration of wetlands or surface waters without amendment of this permit.
22. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete or have been temporarily suspended, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 2:1.

23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
24. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
25. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters and, wherever possible, with a minimum of 20 feet of undisturbed vegetated buffer.
26. The contractor responsible for completion of the work shall utilize techniques described in the NHDES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
27. NHDOT shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation shall be re-vegetated as quickly as soon after construction as possible so as to minimize erosion and restore wildlife habitat.
28. Land clearing in wetland areas during highway construction is to be kept to a minimum to reduce impacts on wildlife habitat.
29. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance, invasive species such as purple loosestrife or Phragmites.
30. NHDOT shall provide a yearly progress report to NHDES relative to the efforts and progress achieved in studying transit issues in coordination with the Commonwealth of Massachusetts.
31. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
32. This permit is contingent on the execution of the mitigation components specified in the Wetland Mitigation Report dated July 2004 and received by NHDES on August 12, 2004.
33. Compensation for wetland and surface water impacts includes the advance mitigation project as approved by NHDES (permit #2000-00455) at the Pelham Road site in Salem for the creation of 4 acres of wetlands and the preservation of an additional 21 acres.
34. Remedial measures that remain uncompleted for the Pelham Road advance mitigation site shall be incorporated into a construction contract for this project. The NHDOT shall submit a copy of the contract to the NHDES Wetlands Bureau specifying such remedial measures.
35. The mitigation proposal as detailed in amended application materials dated July, 2004 and materials submitted on August 12, 2004 shall be followed for compensating impacts associated with the proposed project.
36. Modifications to the mitigation proposal may be required if changes to the project result in an increase in wetland impacts beyond that specified in this permit.
37. The proposed mitigation package includes providing \$3 million to the NHDES Drinking Water Supply Land Grant Program or to a comparable program to be approved by NHDES that can utilize the funds for aquatic resource protection in the area of Massabesic Lake.
38. NHDOT shall provide specific, detailed parcel information to NHDES, and all other resource agencies, for review and approval for disbursement of the \$3 million for funding aquatic resource protection within three years of the start of construction.
39. NHDOT shall provide annual progress reports relative to the status and disbursement of the \$3.5 million fund for the Community Technical Assistance Program to help area communities plan for growth as a result of the project. The following communities have been identified for potential assistance: Concord, Bow, Pembroke, Dunbarton, Allenstown, Deerfield, Goffstown, Hooksett, Candia, Raymond, Bedford, Manchester, Auburn, Chester, Fremont, Litchfield, Londonderry, Derry, Hampstead, Sandown, Danville, Hudson, Windham, Salem, Atkinson, and Pelham.
40. The schedule for the construction of the South Road (site 14 and 15) creation site shall coincide with the highway-widening contract so that salvaged wetland soils and other materials can be used at the South Road site.
41. The schedule for the construction of the three additional wetland creation areas shall coincide with the highway-widening contract for the particular area unless otherwise authorized by NHDES.
42. NHDOT and NHDES shall form an Interdisciplinary Oversight Team to provide technical assistance on the construction and completion of the wetland creation sites.
43. The wetland creation areas shall be properly constructed, monitored, and managed in accordance with final mitigation plans approved by NHDES.
44. Wetland creation and flood storage replacement areas shall be properly constructed, landscaped, and monitored. Remedial actions may be necessary to create functioning wetland and floodplain areas similar to those destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
45. NHDOT shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas

are constructed in accordance with the mitigation plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. NHDES shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

46. The NHDOT shall notify, in writing, NHDES and the local conservation commission(s) in the municipality(ies) where the construction is to take place of their intention to commence construction no less than 5 business days prior to construction.

47. A post-construction report, including a narrative and photographs, documenting the status of the completed mitigation projects shall be submitted to NHDES within 60 days of the completion of construction.

48. NHDOT or the designated qualified professional shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second, third and fifth years following the completion of each mitigation site.

49. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to NHDES.

50. NHDOT shall delineate the wetlands and flood storage volume within the mitigation sites, document the delineation with US Army Corps of Engineers' data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.

51. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation sites. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

52. NHDOT shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures approved by NHDES if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

53. Baseline documentation reports for all lands to be protected shall be completed and submitted to NHDES within one year following NHDOT securing the parcels. The reports shall contain photographic documentation of the areas, and shall be submitted to NHDES to serve as a baseline for future monitoring of the areas.

54. NHDOT shall provide information for review and approval by NHDES relative to the mechanisms to be used for preservation of the parcels in perpetuity. The use of a conservation easement for long-term protection of the properties is preferred and should be pursued where possible.

55. NHDOT shall provide NHDES a status report on the properties to be protected as part of the second and third year monitoring reports to insure compliance with the preservation requirements. If the preservation of the properties has not been completed after three years, yearly reports shall be submitted following the third year as to the status of protection.

56. Conservation easements that are placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement. The conservation easements shall be executed and recorded within five years of the permit issuance.

57. Conservation easements that are placed on the preservation areas relative to the \$3 million contribution to the NHDES Drinking Water Supply Land Grant Program shall not preclude use of the property for public water supply purposes.

58. The plan depicting the conservation easement along with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each property. A copy of the recording from the County Registry of Deeds Office shall be submitted to NHDES.

59. The boundaries of the protected properties shall be surveyed by a licensed surveyor, and marked by permanent markers/signs for purposes of identification and monitoring.

60. NHDES shall be notified of the placement of the permanent markers/signs to coordinate on-site review of their location.

61. There shall be no removal of the existing vegetative undergrowth within the preservation areas and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

62. NHDES shall be notified in writing of the transfer of any preservation lands and mitigation sites to another organization that has been retained for management purposes and the notification shall state the name of the entity responsible for continuing long-term management and/or stewardship of the lands.

63. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of NHDES, including remediation and fines.

With Findings:

1. The purpose and need for the project has been documented in the Interstate 93 Improvements Salem to Manchester Final Environmental Impact Statement (hereinafter "FEIS"), and materials contained in the NHDES file.
2. The proposed project is considered a major impact project per Rule Wt 303.02.
3. The need for the project has been recognized by varying levels of government since 1986 and once constructed, will become a part of the National Highway System. This project has consistently been acknowledged as a vital component of the region's transportation network and has been included in the NHDOT Ten-Year Improvement Plan for many years.
4. In 2000, the NH State Legislature identified the expansion of I-93 as a high priority project. Because of its importance to the region, the legislature passed House Bill 1106 so as to restart the EIS process.
5. The proposed roadway alignment generally parallels the existing right of way, which reduces the potential for impacts to new wetland systems and streams.
6. NHDOT is responsible for developing transportation systems in a manner that assures a consistent transportation network and meets the safety needs of the general public.
7. NHDOT has applied generally accepted methodologies to address the issue of projected traffic volumes.
8. Upon studying information provided by NHDOT, NHDES does not find any fundamental flaws in the existing traffic study, and finds the traffic projections to be a reasonable demonstration of need as required by Rule Wt 302.04(a)(1).
9. Alternatives to the proposed reconstruction and widening of the highway, including transportation system management, transportation demand management, and other options were analyzed in the FEIS. The FEIS concluded that implementation of those alternatives would not address the safety and capacity needs in the project area.
10. NHDOT performed an adequate screening process to identify alternatives that could potentially satisfy the project purpose and summarized environmental consequences of each alternative. As a result of the screening process, a reasonable range of alternatives was selected for analysis in the Draft EIS.
11. Field inspections were conducted over several years by NHDES in coordination with other local, state, and federal agency representatives. Those inspections found that the wetlands delineation, functions and values, and impact analysis were consistent with the information submitted with the application.
12. The flagging and survey of wetland boundaries during final design phase will be shown in detail on the contract plans.
13. Public Hearings were held jointly with the Special Committee (appointed by the Governor and Executive Council), NHDES, NHDOT, the Federal Highway Administration and the US Army Corps of Engineers on November 12, 2002, in Salem and on November 14, 2002, in Manchester.
14. The review process provided numerous opportunities for public involvement and participation.
15. NHDES has received and considered a substantial number of letters both in support of, and in opposition to, the project. Those letters are in the NHDES file, and information in those letters have been considered as part of this decision.
16. NHDES concurs with the responses, provided by the NHDOT and the FHWA, to issues raised in those public comment letters.
17. An amended application was received on August 12, 2004. That amendment reduced the total wetland impacts by approximately 7 acres from the impacts proposed in the application submitted on September 10, 2002.
18. Direct impact of approximately 76 acres of mixed forest and softwood forest habitat types and streams will occur as a result of implementing the Selected Alternative.
19. The project will result in the placement of fill within the 100-year floodplain resulting in a total of 43 acre-feet of floodplain impact and 6 acre-feet of floodway impact. The flood storage impacts will be mitigated by providing flood storage in specially designed basins, extended detention basins, and newly created wetlands located throughout the project area.
20. Methods for management of storm water and erosion control, to prevent any degradation to water quality, can be found in Volume I of III, Section 4 of the FEIS.
21. NHDOT's Selected Alternative meets the project purpose and represents a balance between impacts to environmental resources, social, cultural, and economic effects with transportation needs.
22. The applicant has addressed the application requirements of Wt 301 and 302, and RSA 482-A.
23. NHDES based its decision to approve this project on the record before it and concluded, after careful review of the record, that the proposed Selected Alternative, with the additional revisions, addresses the project purpose and is the least adverse impact to areas and environments under NHDES jurisdiction.
24. Best Management Practices for treating storm water runoff and erosion and sediment control will be followed during construction thus limiting impacts to aquatic resources in the project area. If the BMP conflicts with terms and conditions of this permit, the permit terms and conditions will control.
25. The protection of large blocks of habitat and the provision for providing wildlife corridors within the mitigation plan will help

maintain viable wildlife populations by adding to the connectivity of habitats previously fragmented by development.

26. Land preservation in southern New Hampshire has significant environmental benefit due to the regional development pressures that have been documented to date and are expected to continue or increase in the future.

27. The proposed mitigation plan has been modified and expanded during the review process. NHDOT and the FHWA have increased the mitigation package significantly as a result of comments submitted to the file.

28. The proposed mitigation measures will provide and protect open space to help balance the impacts of future development in the surrounding towns.

29. Mitigation is not a factor considered by the NHDES in its determination of either need or overall project impacts, but is an accepted means to compensate for those impacts associated with the least impacting alternative. NHDES has compensatory mitigation rules that prescribe when, how much, and what type of compensatory mitigation is appropriate for a project's wetlands impacts. NHDES finds that NHDOT has provided adequate compensatory mitigation relative to the project impacts in accordance with adopted mitigation requirements.

30. A thorough review of potential mitigation sites for wetland creation was conducted resulting in identification of sites with the highest mitigation potential and that will adequately compensate for project impacts.

31. The selected mitigation sites will provide for the preservation of wetlands and associated uplands so as to compensate for project impacts.

32. The mitigation proposal meets NHDES regulatory mitigation ratios.

33. The mitigation proposal is appropriate for the scope and degree of impacts that will result from the proposed project.

34. NHDES finds that the proposed impacts to wetlands and surface waters will be offset by the execution of the proposed mitigation strategy.

2005-00582 GOFFSTOWN, CONSERVATION COMMISSION
GOFFSTOWN Unnamed Wetland Prime Wetlands

Requested Action:

Request to accept designation of prime wetlands for the Town of Goffstown.

OTHER:

Accept designation of prime wetlands for the Town of Goffstown.

With Findings:

1. Based on review of the Town of Goffstown Prime Wetlands Study and Mapping by VHB, Inc. dated December 2004, as received by the Department on 3/15/2005, and supplemental information from VHB, Inc. dated 6/20/2005, as received by DES on 3/14/2006, the NH Department of Environmental Services Wetlands Bureau has determined that the Report and associated maps identifying 21 wetlands as designated Prime Wetlands comply with Administrative Rules Section Wt 701, Criteria and Evaluation, and Section Wt 702, Submission, and are therefore accepted.

2005-01910 VAILAS, NICHOLAS
ERROL Clear Stream

Requested Action:

Impact approximately 5,500 square feet within the bed and bank of Clear Stream to install rip-rap along 550 linear feet of an actively eroding bank to protect a major snowmobile trail and existing fencing line for a buffalo pasture.

Inspection Date: 06/30/2003 by Craig D Rennie

CONFIRM EMERGENCY AUTHORIZATION:

Impact approximately 5,500 square feet within the bed and bank of Clear Stream to install rip-rap along 550 linear feet of an

actively eroding bank to protect a major snowmobile trail and existing fencing line for a buffalo pasture.

With Conditions:

1. All work shall be in accordance with plans by the Horizons Engineering, as received by the Department on January 9, 2006.
2. Additional request to dredge and fill areas within the bed and banks of Clear Stream at this location shall not be considered or approved by DES until a complete analysis and assessment has been conducted by the applicant to determine a more effective, long-term solution, which alleviates the deposition and erosion problem and has a lesser degree of environmental impact.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. The project is classified as a Major Project per NH Administrative Rule Wt 303.02(i), as impacts within the bed and bank of Clear Stream are greater than 200 linear feet.
2. The project was necessary to protect a major snowmobile trail and existing fencing line for a buffalo pasture.
3. DES Staff inspected this site on June 30, 2003, and concurred that Clear Stream is actively migrating with lateral bank erosion, and that eventually the stream will threaten the existing infrastructure on the property.
4. The project was issued emergency approval on August 24, 2005 in accordance with Rule Wt 503.01.
5. DES finds that installing rip-rap along the bank of Clear Stream is only a temporary solution to active stream migration and lateral bank erosion; therefore, additional request to impact this area of Clear Stream shall not be considered or approved until a complete analysis and assessment has been conducted by the applicant to determine a more effective, long-term solution, which alleviates the deposition and erosion problem.
6. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective.

2005-02502 NHNY MARINA DEV LLC
ASHLAND Squam River

Requested Action:

Approve name change to: NHNY Marina Dev. LLC, PO Box 495, Holderness NH 03245 per request received 5/2/2005.

Conservation Commission/Staff Comments:

No Com Com comments by January 3, 2006

Inspection Date: 03/31/2006 by Dale R Keirstead

APPROVE NAME CHANGE:

Reconfigure a 101 slip major docking facility, repair and renovate the 4 existing boathouses, repair 145 ft of existing retaining wall and upgrade the site with improved drainage, plantings and erosion controls on the Squam River, Ashland.

With Conditions:

1. All work shall be in accordance with plans by Rist-Frost Shumway dated March 31, 2006, as received by the Department on April 4, 2006, Shed plans by David Driscoll Design dated September 28, 2005, as received by the Department on October 17, 2005, Kesumpe Boathouse plans by David Driscoll Design dated September 28, 2005, revision date March 8, 2006, as received by the Department on March 8, 2006, Asquam Boathouse plans by David Driscoll Design dated September 28, 2005, revision date March 8, 2006, as received by the Department on March 8, 2006, Halcyon Boathouse plans by David Driscoll Design dated September 28, 2005, revision date February 1, 2006, as received by the Department on February 10, 2006, and Livermore Boathouse plans by David Driscoll Design dated September 28, 2005, revision date February 1, 2006, as received by the Department on February 10, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
8. Silt fencing must be removed once the area is stabilized.
9. Construction debris and material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The owner shall file a restrictive covenant in the appropriate registry of deeds, with each appropriate deed, limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
11. Boathouse repairs shall maintain existing size, location and configuration.
12. This permit does not allow for maintenance dredging.
13. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
14. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
15. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
16. Work shall be done during low flow.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification of a major docking facility.
2. The re-configuration of the docking facility will not increase the number of slips or the location of the docks in this grandfathered docking facility along Squam River.
3. The proposed work will improve the shoreline stability and help prevent further erosion along a highly impacted area on the Squam River.
4. Public hearing is waived based on field inspection, by NH DES staff, on March 31, 2006, with the finding that the project impacts will not significantly impair the resources of the Squam River.

Requested Action:

Reconfigure a 101 slip major docking facility, repair and renovate the 4 existing boathouses, repair 145 ft of existing retaining wall and upgrade the site with improved drainage, plantings and erosion controls on the Squam River, Ashland.

APPROVE PERMIT:

Reconfigure a 101 slip major docking facility, repair and renovate the 4 existing boathouses, repair 145 ft of existing retaining wall and upgrade the site with improved drainage, plantings and erosion controls on the Squam River, Ashland.

With Conditions:

1. All work shall be in accordance with plans by Rist-Frost Shumway dated March 31, 2006, as received by the Department on April 4, 2006, Shed plans by David Driscoll Design dated September 28, 2005, as received by the Department on October 17, 2005, Kesumpe Boathouse plans by David Driscoll Design dated September 28, 2005, revision date March 8, 2006, as received by the Department on March 8, 2006, Asquam Boathouse plans by David Driscoll Design dated September 28, 2005, revision date March 8, 2006, as received by the Department on March 8, 2006, Halcyon Boathouse plans by David Driscoll Design dated September 28, 2005, revision date February 1, 2006, as received by the Department on February 10, 2006, and Livermore Boathouse plans by David Driscoll Design dated September 28, 2005, revision date February 1, 2006, as received by the Department on February 10, 2006.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
8. Silt fencing must be removed once the area is stabilized.
9. Construction debris and material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The owner shall file a restrictive covenant in the appropriate registry of deeds, with each appropriate deed, limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
11. Boathouse repairs shall maintain existing size, location and configuration.
12. This permit does not allow for maintenance dredging.
13. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
14. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
15. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
16. Work shall be done during low flow.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification of a major docking facility.
2. The re-configuration of the docking facility will not increase the number of slips or the location of the docks in this grandfathered docking facility along Squam River.
3. The proposed work will improve the shoreline stability and help prevent further erosion along a highly impacted area on the Squam River.
4. Public hearing is waived based on field inspection, by NH DES staff, on March 31, 2006, with the finding that the project impacts will not significantly impair the resources of the Squam River.

-Send to Governor and Executive Council-

2005-02847 DELONG, ROBERT
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 600 sq ft perched beach with 6 ft wide lake access steps, install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 3 ft concrete anchoring pad, and install a 14 ft x 30 ft seasonal canopy on 225 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a 600 sq ft perched beach with 6 ft wide lake access steps, install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 3 ft concrete anchoring pad, and install a 14 ft x 30 ft seasonal canopy on 225 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Fernstone Associates as received by the Department on April 4, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only structures on this water frontage and all portions of the dock and perched beach shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier and seasonal canopy shall be removed from the lakebed for 5 months during the non-boating season.
5. No portion of the pier shall extend more than 40 ft feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. Lake access and dock access steps shall be no wider than 6 ft and shall be constructed over the bank.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. The NH Fish and Game Department conditions dated March 9, 2006, shall apply. Failure to adhere to these conditions will be in direct violation of this permit.
14. No trees shall be removed for the construction of the proposed structures approved under this permit.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(m) any project that is related to other applications or permits in the wetlands or wetlands complex in a manner such that if the proposed action were considered to be in a single application the combined impact would be considered major.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 13, 2006, the inspection determined that the plans must be revised for consideration for approval, and that slash must be removed from the wetland prior to further review.
6. The town Conservation Commission had concerns with construction of wooden steps over the bank and recommended that the stairs be recessed into the bank. NHDES cannot permit steps recessed into the bank because this portion of the bank exceeds 25% slope, therefore steps constructed over the bank are deemed the least impacting.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

2006-00206 DELONG, ROBERT
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 600 sq ft perched beach with 6 ft wide lake access steps, install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 3 ft concrete anchoring pad, and install a 14 ft x 30 ft seasonal canopy on 225 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a 600 sq ft perched beach with 6 ft wide lake access steps, install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 3 ft concrete anchoring pad, and install a 14 ft x 30 ft seasonal canopy on 225 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Fernstone Associates as received by the Department on April 4, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only structures on this water frontage and all portions of the dock and perched beach shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier and seasonal canopy shall be removed from the lakebed for 5 months during the non-boating season.
5. No portion of the pier shall extend more than 40 ft feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. Lake access and dock access steps shall be no wider than 6 ft and shall be constructed over the bank.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. The NH Fish and Game Department conditions dated March 9, 2006, shall apply. Failure to adhere to these conditions will be in direct violation of this permit.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(m) any project that is related to other applications or permits in the wetlands or wetlands complex in a manner such that if the proposed action were considered to be in a single application the combined impact would be considered major.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 13, 2006, the inspection determined that the plans must be revised for consideration for approval, and that slash must be removed from the wetland prior to further review.
6. The town Conservation Commission had concerns with construction of wooden steps over the bank. This construction type was recommended by the Wetlands Bureau as it is considered the least impacting due to bank slope.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

MINOR IMPACT PROJECT

2004-00327 CHESTNUT COVE LLC
ALTON Unnamed Stream

Requested Action:

Approve name change to: Chestnut Cove, LLC, 17 Fort Hill Rd., Gloucester Ma 01930 per request received 04/28/2006.

Conservation Commission/Staff Comments:

The Conservation Commission has supplied a letter requesting larger culverts be installed and restoration of impact areas for the

existing snowmobile trail.

APPROVE NAME CHANGE:

Dredge and fill 2845 square feet of forested and scrub shrub wetland including 179 linear feet of intermittent stream impact, in the subdivision 62.58 acres into 16 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Golde Planning and Design Inc dated February 18, 2004, and revised through September 7, 2004 as received by the Department on September 8, 2004 and Subdivision Plans by Granite State Surveying dated February 13, 2004, and revised through August 2, 2004 as received by the Department on September 8, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Area of temporary impact shall be regraded approved plan grades.
16. Material removed from the previously filled wetland areas shall be removed down to the level of the original hydric soils.
17. All material removed during work activities shall be placed out of DES's jurisdiction.
18. Mulch within the restoration area shall be straw.
19. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
24. A post-construction report documenting the status of the restored jurisdictional areas, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02.

2005-01939 MAGUIRE, STEVEN
MOULTONBOROUGH Middle Brook Canal

Requested Action:

Construct a 50 linear ft section of retaining wall and a 54 linear ft section of retaining wall, and remove and replace existing docks in-kind on 64 ft of frontage on Middle Brook in Moultonborough.

APPROVE PERMIT:

Construct a 50 linear ft section of retaining wall and a 54 linear ft section of retaining wall, and remove and replace existing docks in-kind on 64 ft of frontage on Middle Brook in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Bollinger Associates dated as received by the Department on Aril 8, 2006.
2. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
3. This permit does not allow for beach replenishment.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. This permit allows the repair/replacement of the existing piers "in-kind" for the duration of this permit. Shall this activity take place more than once; the Moultonborough Conservation Commission and the Wetlands Bureau shall be notified in writing with the appropriate permit file number each time prior to work.
8. All structures constructed or repaired shall be maintained to conform to reasonable safety standards as per Administrative Rule Wt 402.11.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), bank disturbance between 50 and 200 linear ft as measured along the shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01985 KOPKA, PAMELA
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 9,030 square feet of forested wetlands for installation of a 24 inch x 114 foot plastic culvert to provide access to a proposed 35 lot subdivision known as Fox Tail Estates.

APPROVE PERMIT:

Dredge and fill 9,030 square feet of forested wetlands for installation of a 4 foot x 4 foot x 100 foot box culvert to provide access to a proposed 35 lot subdivision known as Fox Tail Estates.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc., sheets 1, 3, 11 and 15 of 110 and P-1, revision date January 10, 2006 and plan sheets 12 and 13 of 110 dated September 1, 2002, as received by the Department on January 19, 2006 and sheet 1 of 1, dated January 18, 2006, as received by the Department on February 21, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain project specific condition #4 of this approval.
6. Proposed lots 5-40-19 and lots 5-40-41 through 5-40-49 contain a Town of Londonderry "Conservation Overlay District Boundary". The boundary shall be demarcated in cooperation with the Town of Londonderry Conservation Commission as noted and identified on plans listed in project specific conditions #1 of this approval.
7. The deed which accompanies the sales transaction for lots 5-40-19 and lots 5-40-41 through 5-40-49 in this subdivision shall contain project specific condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. Work in wetlands shall be done during low flow.
10. Orange construction fencing shall be placed at the limits of construction adjacent to the proposed wetland impact area to prevent accidental encroachment on wetlands.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. 20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish & Game Department (NHFG) identified through their records that animal species listed as State species of Special Concern, Blanding's turtle and Spotted turtle have been identified in the vicinity of the proposed project. NHFG recommended that open bottom box culverts 1.2x bank full width be used on crossings of Nesenkeag Brook. Additionally, NHFG recommended 100 foot "no-cut" buffers on Nesenkeag Brook, scrub-shrub wetlands and vernal pools to provide adequate habitat for the identified species.

6. The Town of Londonderry required a "Conservation Overlay District Boundary". The conservation overlay district contains a 100 foot buffer on Nesenkeag Brook and connected wetlands on the west side of the proposed "Little Fox Lane" and a 50 foot buffer on the wetland area connected to Nesenkeag Brook located on the east side of the proposed "Little Fox Lane".
7. There are no crossings proposed for Nesenkeag Brook.
8. The Londonderry Conservation Commission voted to recommend the proposed project with the suggestion that the applicant consider a box culvert with a natural bottom.
9. The applicant revised the crossing design from a proposed 12 inch x 114 foot plastic culvert to a 4 foot x 4 foot x 100 foot closed bottom concrete box culvert.
10. A Certified Wetland Scientist (CWS) reviewed the existing NRCS soils data and NWI wetland maps for the remainder parcel Tax Map/Lot 5-40 and walked the entire parcel and found no jurisdictional wetlands. The CWS documented his findings in a letter received by the Department on April 3, 2006.

2005-02472 HEAL, EDWIN & DONNA
WENTWORTH Rocky Pond Brook

Requested Action:

Dredge and fill approximately 3,000 square feet (approximately 150 linear feet) of stream for access to a 4-lot subdivision, further described as follows:

1. Dredge and fill approximately 2,480 square feet (100 linear feet) of Rocky Pond Brook to install a 10-foot pre-cast rigid frame bridge and associated fill; and
2. Dredge and fill approximately 520 square feet (approximately 50 linear feet) of intermittent stream to install a 18-inch x 50-foot culvert.

Conservation Commission/Staff Comments:

No comments from Con Com.

No NH Fish and Game or NHB hits.

APPROVE PERMIT:

Dredge and fill approximately 2,000 square feet (approximately 90 linear feet) of stream for access to a 4-lot subdivision, further described as follows:

1. Dredge and fill approximately 1,480 square feet (40 linear feet) of Rocky Pond Brook to install a 20-foot pre-cast rigid frame bridge; and
2. Dredge and fill approximately 520 square feet (approximately 50 linear feet) of intermittent stream to install a 18-inch x 50-foot CMP culvert.

With Conditions:

1. All work shall be in accordance with plans by Neil McIver dated April 26, 2006, as received by the Department on April 28, 2006, and plans by Elwin Macomber dated October 2004, and revised through November 3, 2004, as received by the Department on April 28, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon the receipt of evidence of the final lot numbers.
4. A permit amendment shall be requested by the applicant if final lot numbers are different than stated in this permit.
5. There shall be no further alteration of wetlands on lot numbers 1 (3.18 acres), 2 (2.47 acres), and lot 3 (4.63 acres) for lot development, driveways, culverts, or for septic setback.
6. The property owner of the remaining lot 10-01-02 (147.22 acres) shall have the wetlands and surface waters on the lot delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lots 1 (3.18 acres), 2 (2.47 acres), and lot 3 (4.63 acres) shall contain condition # 5 of this approval.
8. The deed which accompanies the sales transaction for lot 10-01-02 (147.22 acre) shall contain condition # 6 of this approval.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
10. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work

shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.

11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

13. There shall be no excavation or operation of construction equipment in flowing water.

14. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

15. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

16. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

18. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

19. Temporary cofferdams shall be entirely removed immediately following construction.

20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

21. Culverts shall be laid at original grade.

22. Proper headwalls shall be constructed within seven days of culvert installation.

23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

25. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

26. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

27. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

28. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that disturb less than 200 linear feet of a intermittent or perennial stream.

2. As requested by the Department the applicant provided a open bottomed Rocky Pond Brook crossing that spans the stream channel.

3. The proposed Rocky Pond Brook crossing will accommodate a 50-year storm event.

4. Crossing Rocky Pond Brook and lot 10-01-02A is required to access lot 10-01-02.

5. Limiting topography restricts suitable development areas on lot 10-01-02.

6. Prior to any future subdivision or alteration of wetlands or surface waters on the remaining parcel (approximately 147.22 acres) the Department will require a wetland delineation for the entire parcel by a Certified Wetland Scientist.

7. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02498 MORRIS REVOC TRUST 1995, BARBARA
GILFORD Lake Winnepesaukee

Requested Action:

Remove an existing 5 ft x 31 ft seasonal pier and install a "U-shaped" docking facility consisting of two 6 ft x 40 ft seasonal piers with a 6 ft x 12 ft walkway hinged to two 4 ft x 6 ft concrete anchoring pads accessed by 6 ft wide dock access steps, dredge four navigational hazard rocks within boatslips and deposit under proposed "U-shaped" dock on 408 ft of frontage in Gilford on Lake Winnepesaukee.

APPROVE PERMIT:

Remove an existing 5 ft x 31 ft seasonal pier and install a "U-shaped" docking facility consisting of two 6 ft x 40 ft seasonal piers with a 6 ft x 12 ft walkway hinged to two 4 ft x 6 ft concrete anchoring pads accessed by 6 ft wide dock access steps, dredge four navigational hazard rocks within boatslips and deposit under proposed "U-shaped" dock on 408 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised February 7, 2006, and as received by the Department on February 24, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for 5 months during the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. Anchoring pads shall be completely landward and above the reference line elevation 504.32.
9. Dredged rock indicated shall be deposited under proposed dockage at like water depths at a "near shore zone" addressing NH Fish and Game Departments concerns. Any other dredge not on the plans will require a separate permit from the Department.
10. This permit does not allow for annual dredge or deposition of fill in protected waters.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), construction of a dock that exceeds the criteria classified under Wt 303.04
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02506 BAKER, DANIEL
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill a total of 9433 square feet of previously disturbed wet meadow including the installation of five 18-inch x 25-foot culverts for access to a proposed commercial development.

APPROVE PERMIT:

Dredge and fill a total of 9433 square feet of previously disturbed wet meadow including the installation of five 18-inch x 25-foot culverts for access to a proposed commercial development.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated May 27, 2005, and revised through March 15, 2006, as received by the Department on April 5, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be conducted during low water conditions.
6. All work within jurisdiction shall be within the access easement or at least 20 feet from the abutting properties.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The impacts are for access to the only buildable portion of the property.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has narrowed the drivable surface of the roadway to 14-feet and is providing pull outs within the uplands to meet town standards.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has provided 2:1 side slopes within the jurisdictional areas to reduce impacts.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. The wetlands on the site are within an existing power Right-of-Way and have been disturbed historically over time.

2005-02846 NORRLAND REALTY TRUST
SALEM Unnamed Wetland

Requested Action:

Dredge and fill 4,730 sq. ft. of palustrine scrub-shrub wetlands on a previously disturbed site to construct a detention pond, to be enhanced with wetland vegetation, as part of a proposed retail development.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed the project and recommends approval of the application. The Commission requests a fence be installed to prevent snow from being plowed into the detention area.

APPROVE PERMIT:

Dredge and fill 4,730 sq. ft. of palustrine scrub-shrub wetlands on a previously disturbed site to construct a detention pond, to be enhanced with wetland vegetation, as part of a proposed retail development.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 11/28/2005 & 12/08/2005, as received by the Department on December 12, 2005.
2. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02882 BOUTE, JEFFREY & JASON
FARMINGTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 8,400 square feet of wetlands over three locations for construction of driveway crossings associated with development of a five-lot subdivision on approximately 27 acres, including 1,400 sq. ft. of impact for a single driveway crossing; 2,000 sq. ft. of impact and installation of a 30' x 24" culvert, and 5,000 sq. ft. of impact and installation of two 30' x 12" culverts for shared driveway access to the buildable interior portion of two lots.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Dredge and fill a total of 8,400 square feet of wetlands over three locations for construction of driveway crossings associated with development of a five-lot subdivision on approximately 27 acres, including 1,400 sq. ft. of impact for a single driveway crossing; 2,000 sq. ft. of impact and installation of a 30' x 24" culvert, and 5,000 sq. ft. of impact and installation of two 30' x 12" culverts for shared driveway access to the buildable interior portion of two lots.

With Conditions:

1. All work shall be in accordance with revised plans by Christopher S. Albert dated 4/4/2006, as received by the Department on 4/6/2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee.

A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Silt fencing must be removed once the area is stabilized.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. of non-tidal wetlands impact in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Wetlands must be crossed at some locations on this property in order to reach buildable uplands and provide emergency access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The wetland crossings have been located at the narrowest locations, or combined into shared crossings, and lots have been combined to eliminate impacts.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no NHI or NH Fish & Game listed species hits for this property.

2005-02970 MAUS, GERALD/SUSAN
WOLFEBORO Lake Winnepesaukee

Requested Action:

Construct a 600 sq ft perched beach with 5 ft wide lake access steps on the frontage in Wolfeboro on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a 600 sq ft perched beach with 5 ft wide lake access steps on the frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources, as received by the Department on April 4, 2006.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. This permit only allows the construction of a perched beach and associated lake access steps. Further alteration of the property, or construction of any other structures may need another permit or waiver by the Department.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet)

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f) construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-03043

SOMERSWORTH, CITY OF

SOMERSWORTH Unnamed Wetland Salmon Falls River

Requested Action:

Dredge and fill 6,152 sq. ft. of wetlands to upgrade and expand existing sewer treatment plant facility to maintain water treatment standards.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Dredge and fill 6,152 sq. ft. of wetlands to upgrade and expand existing sewer treatment plant facility to maintain water treatment standards.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce stamped 11/21/2005, as received by the Department on 12/23/2005.
2. This permit is contingent on the approval and conditions of the NPDES permit.
3. This permit is contingent on approval by the DES Site Specific Program.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects that involve alteration of less than 20,000 sq. ft. of

non-tidal wetlands in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The proposal represents necessary upgrades to existing facility.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The impacts are at the margins of the area of existing development, and are greater than 50' back from the Salmon Falls River.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Storm water discharge from the site will be reduced as part of the project; no NH NHI hits were reported for the project.

2005-03044 PRESCOTT, DENNIS
BELMONT Unnamed Wetland

Requested Action:

Dredge and fill 9019 square feet of forested wetland and intermittent stream (155 linear feet) in the subdivision of 73.79 acres into 23 single family residential lots and one 43.97 acre common lot.

APPROVE PERMIT:

Dredge and fill 9019 square feet of forested wetland and intermittent stream (155 linear feet) in the subdivision of 73.79 acres into 23 single family residential lots and one 43.97 acre common lot.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering dated 3/31/06, as received by the Department on April 5, 2006 and Subdivision Plans by MJS Engineering dated August 1, 2005, and revised through March 31, 2006 as received by the Department on April 5, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The culverts shall be laid at existing grade.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Silt fencing must be removed once the area is stabilized.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The impacts are all for access to the buildable portions of the property and to meet town roadway standards.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has utilized existing impacts where possible and crossed at the narrowest portions of the wetlands.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-03048

DOVER, CITY OF

DOVER Varney Brook

Requested Action:

Impact a total of 1,123 sq. ft. in the upland tidal buffer zone for the following: 120 sq. ft. of impact for excavation of an access pit associated with directional drilling under Varney Brook for installation of new force main; 79 sq. ft. of impact for construction of a flow metering and chemical feed manhole; 324 sq. ft. of impact to construct an 18' x 18' chemical feed room building; 600 sq. ft. of impact for new paving surrounding pump station. Install 186 linear feet of chain link fence as security at pump station.

Conservation Commission/Staff Comments:

Conservation Commission did not report..

APPROVE PERMIT:

Impact a total of 1,123 sq. ft. in the upland tidal buffer zone for the following: 120 sq. ft. of impact for excavation of an access pit associated with directional drilling under Varney Brook for installation of new force main; 79 sq. ft. of impact for construction of a flow metering and chemical feed manhole; 324 sq. ft. of impact to construct an 18' x 18' chemical feed room building; 600 sq. ft. of impact for new paving surrounding pump station. Install 186 linear feet of chain link fence as security at pump station.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated 12/22/2005, as received by the Department on 3/27/2006.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

Faulty equipment shall be repaired prior to entering jurisdictional areas.

The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line that are not major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-03052 JUNIPER FELLS LLC
CONCORD Unnamed Wetland

Requested Action:

Dredge and fill 7561 square feet of palustrine wetland for access in the subdivision of 29 acres into 5 single family residential lots, a 14-acre open space lot and a parcel to be annexed to tax map 123, block 3, lot 5.

APPROVE PERMIT:

Dredge and fill 7561 square feet of palustrine wetland for access in the subdivision of 29 acres into 5 single family residential lots, a 14-acre open space lot and a parcel to be annexed to tax map 123, block 3, lot 5.

With Conditions:

1. All work shall be in accordance with plans by Robert G Rook PE dated November 18, 2005, and revised through April 3, 2006, as received by the Department on April 10, 2006, and Subdivision Plans by Joseph M Wichert, dated November 16, 2006, as received by the Department on May 2, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The proposed impact is for access to the proposed subdivision.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The conservation commission has requested the placement of the roadway in order to minimize the impacts to the system though preservation of the local buffer.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00047 NORTHFIELD, TOWN OF
NORTHFIELD Cross Brook

Requested Action:

Dredge and fill 3115 square feet of perennial stream and riparian wetlands to replace an existing 40 foot CMP culvert with a 22 ft x 40 ft pre-cast spanning structure.

APPROVE PERMIT:

Dredge and fill 3115 square feet of perennial stream and riparian wetlands to replace an existing 40 foot CMP culvert with a 22 ft x 40 ft pre-cast spanning structure.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants dated December 22, 2005, and revised through April 6, 2006, as received by the Department on May 5, 2006.
2. The Town shall obtain easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-00047 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Extreme precautions shall be taken to maintain the integrity of the wetland soils within the detour area.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction.
7. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, temporary water diversion measures shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary water diversion measures shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary water diversion measure is fully effective, confined work can proceed without restriction.
11. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
14. There shall be no excavation or operation of construction equipment in flowing water unless specifically authorized pursuant to Condition #3.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Temporary water diversion measures shall be entirely removed immediately following construction.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.
21. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. Upland riparian areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is to replace a deficient bridge within a public right-of-way. It is therefore in the public's best interest to approve this project.

2006-00295 NEWMAN, THOMAS & BONNIE
ALTON BAY Lake Winnepesaukee

Requested Action:

Install 6 tie off pilings to support a permanent boatlift and seasonal canopy adjacent to an existing "U-shaped" docking facility on 372 ft of frontage in Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Install 6 tie off pilings to support a permanent boatlift and seasonal canopy adjacent to an existing "U-shaped" docking facility on 372 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 24, 2006, as received by the Department on February 15, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal canopy and seasonal boatlift shall be removed from the lake for 5 months during the non-boating season.
5. Seasonal canopy shall not exceed 20 ft in height as measured from normal high water.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. Repair shall maintain existing size, location and configuration.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), installation of new tie-off piles, ice clusters, or dolphins which do not, by their presence, add boat slips to an existing docking system.
2. Proposed docking accessory structures added to the "U-shaped" docking facility are not considered a modification to a nonconforming structure, as no dimensions, locations, and/or configurations are altering the existing docking structure.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00302 GELORMINI, BILL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair a previously permitted 4 ft by 30 ft permanent dock, construct a 6 ft by 25 ft seasonal dock attached to a 6 ft by 19 ft seasonal dock in a "T" configuration attached to a 6 ft by 3 ft concrete pad, install 2 seasonal PWC lifts and a seasonal boatlift adjacent to the seasonal dock, on an average of 198 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

No Com Com comments by May 4, 2006

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Repair a previously permitted 4 ft by 30 ft permanent dock, construct a 6 ft by 25 ft seasonal dock attached to a 6 ft by 19 ft seasonal dock in a "T" configuration attached to a 6 ft by 3 ft concrete pad, install 2 seasonal PWC lifts and a seasonal boatlift adjacent to the seasonal dock, on an average of 198 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 05, 2006, as received by the Department on February 16, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Repair shall maintain existing size, location and configuration. The permanent dock shall not extend more than 30 ft lakeward of full lake elevation of 504.32.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 25 feet from the shoreline at full lake elevation.
10. Seasonal PWC lifts and the seasonal boatlift shall be removed from the lake for the non-boating season.
11. The concrete pad shall be located entirely behind the natural undisturbed shoreline.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Wt 402.01.

2006-00315 LAF PROPERTIES
GILFORD Lake Winnepesaukee

Requested Action:

Install two 4 ft by 6 ft concrete pads to anchor two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft walkway in a "U" shaped configuration with a seasonal boatlift in the center slip and a 14 ft by 30 ft seasonal canopy over the center slip, providing 3 boatslips on an average of 221 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has concerns about abutter views affected by canopy.

APPROVE PERMIT:

Install two 4 ft by 6 ft concrete pads to anchor two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft walkway in a "U" shaped configuration with a seasonal boatlift in the center slip and a 14 ft by 30 ft seasonal canopy over the center slip, providing 3 boatslips on an average of 221 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 06, 2006, as received by the Department on February 16, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The concrete pad shall be located behind the natural undisturbed shoreline and completely landward of full lake elevation of 504.32.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. Seasonal boatlifts shall be of seasonal construction type which shall be removed for the non-boating season.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Wt 402.01 for minimum impact dock
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2006-00401 HURLBERT TOYOTA
EPPING Unnamed Wetland

Requested Action:

Dredge and fill 3,386 sq. ft. of man-made wetlands for site improvements at an existing commercial associated with construction of

a retail car dealership.

Conservation Commission/Staff Comments:

Conservation Commission did not object; had suggestions the applicant has been willing to address.

APPROVE PERMIT:

Dredge and fill 3,386 sq. ft. of man-made wetlands for site improvements at an existing commercial associated with construction of a retail car dealership.

With Conditions:

1. All work shall be in accordance with plans by TF Moran Inc. dated 1/18/2006, as received by the Department on 2/23/2006.
2. This permit is contingent upon receipt by DES of written permission from the abutter, McDonald's Corporation, allowing the permittee permission to work within the 20' abutter setback, per the requirements of Wt 304.04, Setback From Property Lines.
3. This permit is contingent upon approval by the DES Site Specific Program.
4. This permit is contingent upon approval by the DES Subsurface Systems Bureau.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. The adjacent Conservation Easement shall be monumented prior to the commencement of construction on this property.
15. There shall be no snow dumping in the adjacent Conservation Easement area.
16. Plantings shall be done in accordance with the plan by TF Moran, dated 1/18/2006 entitled "Landscape Plan - Hurlbert Toyota", as received by DES on 4/13/2006, and shall be deemed successful after two growing seasons, or shall be replanted until the goal of increasing the vegetated buffer adjacent to the State Rail Trail is successfully achieved.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects that involve alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Conditions requested by the Epping Conservation Commission to protect the adjacent Conservation Easement from encroachment and snow dumping, as well as plantings to increase the vegetated buffer adjacent to the State Rail Trail have been included in this approval.

MINIMUM IMPACT PROJECT

2005-00195 NH DEPT OF TRANSPORTATION JAFFREY Unnamed Stream

Requested Action:

Replace a 16 in. x 70 ft. culvert with a 24 in. x 60 ft. culvert countersunk and lined with gravel on the bottom.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

River Advisory Comm. - no comment

APPROVE PERMIT:

Replace a 16 in. x 70 ft. culvert with a 24 in. x 60 ft. culvert countersunk and lined with gravel on the bottom. NHDOT project #M413-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 4 (revision date 3/2/06 as received by the Department on March 7, 2006).
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. No angular rock to be placed along the stream or culvert bottom.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), replacement of a culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Fish and Game Dept. approves if no angular rip rap is used.

2005-01368 WEATHERBEE, DONALD MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove existing landscape ties from the top of slope and install two stone walls on an existing 22 linear foot beach on Lake

Winnepesaukee creating a terraced slope resulting in 330 square feet of jurisdictional impact.

APPROVE PERMIT:

Remove existing landscape ties from the top of slope and install two stone walls on an existing 22 linear foot beach on Lake Winnepesaukee creating a terraced slope resulting in 330 square feet of jurisdictional impact.

With Conditions:

1. All work shall be in accordance with plans by Donald Weatherbee dated June 17, 2005 (rev. January 2, 2006), as received by the Department on January 18, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. The Applicant understands and accepts that if future beach erosion results in a need to replenish the beach more frequently than every six years, then the owners of the beach shall be required to perch the beach by replacing the stones along the normal high water line. The Applicant further understands and accepts that replenishing a beach without a permit is illegal and that doing so will require the beach to be perched in addition to any other enforcement action as deemed appropriate by the Department.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Retaining walls shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
7. All sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. This permit does not allow for maintenance dredging.
11. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
13. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m); projects that disturb less than 50 linear feet, measured along the shoreline of a lake and do not meet the criteria of Wt 303.03 or Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02939 SCHEYD, LINDA
BOW Bow Bog Brook

Requested Action:

Dredge and fill 1345 square feet including approximately 75 linear feet of stream impact for the construction of a common driveway in the subdivision of 17 acres into 6 single family residential lots.

APPROVE PERMIT:

Dredge and fill 1345 square feet including approximately 75 linear feet of stream impact for the construction of a common driveway in the subdivision of 17 acres into 6 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by T F Bernier Inc dated January 2006, as received by the Department on April 6, 2006 and Subdivision Plans by T F Bernier dated November 2005, and revised through April 5, 2006 as received by the Department on April 6, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done under no flow conditions.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has designed a common driveway and is seeking a variance from the Town of Bow.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00106 DURHAM, TOWN OF
DURHAM Crommet Creek

Requested Action:

Construct 2 sections of wooden walkway, 300' x 2', and 100' x 2', respectively, across wet areas created by seepage from adjacent beaver impoundments along established Class VI Longmarsh Road town trail. Total impact 800 sq. ft.

Conservation Commission/Staff Comments:

Conservation Commission is involved in project development and construction.

Inspection Date: 04/25/2006 by Dori A Wiggin

APPROVE PERMIT:

Construct 2 sections of wooden walkway, 300' x 2', and 100' x 2', respectively, across wet areas created by seepage from adjacent beaver impoundments along established Class VI Longmarsh Road town trail. Total impact 800 sq. ft.

With Conditions:

1. All work shall be in accordance with revised plans and materials by the Town of Durham dated 3/8/2006 and 3/23/2006, as received by the Department on 3/8/2006, and 3/27/2006, respectively.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Work shall be done during low flow.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The class VI road which has become the town trail has become very muddy due to water seeping through the adjacent beaver dam. The wooden walkways will allow the trail to continue to be used.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The walkways will prevent erosion and turbidity, and thus protect the adjacent water quality.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. NH Fish and Game Non-game and Endangered Species Program has stated that its initial concerns regarding potential impacts to osprey nesting areas in the larger vicinity are addressed by the fact that this is essentially maintenance on the existing trail, not new trail development closer to the nesting habitat.

FORESTRY NOTIFICATION

2006-00855 GOFFSTOWN VILLAGE WATER PRECINCT
GOFFSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Goffstown Tax Map 1, Lot# 38

2006-00859 GETTINGS, G.L.
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:
Columbia Tax Map 406, Lot# 31

2006-00955 CUDDY, JAC & KATHY
FREEDOM Unnamed Stream

COMPLETE NOTIFICATION:
Freedom Tax Map 9, Lot# 19

**2006-00956 SIEMON FAMILY CHARTITABLE TRUST, CARL
MILTON Unnamed Stream**

COMPLETE NOTIFICATION:
Milton Tax map 20, Lot# 1

**2006-00957 CROTEAU, LYNETTE
WINCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Winchester Tax Map 6, Lot# 4

**2006-00958 KEITHAN, MAUREEN & PAT MCALONEY
BROOKLINE Unnamed Stream**

COMPLETE NOTIFICATION:
Brookline Tax Map B, Lot# 2

EXPEDITED MINIMUM

**2005-02159 CONNOLLY, MARK
NEW CASTLE Piscataqua River**

Requested Action:
Applicant requests to amend permit to include: in-kind repair to 32 linear ft of failed retaining wall.

Conservation Commission/Staff Comments:
The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:
Amend permit description to include: In-kind repair to 32 linear ft of failed retaining wall and impact 442 square feet with the 100-foot tidal buffer zone (to include 241 square feet of temporary impact and 201 square feet of permanent impact) for the remodeling/reconstruction of a single family dwelling and wood deck on 3.35 acres with approximately 268 feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated August 8, 2005 and revised on September 8, 2005, as received by the Department on September 16, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All work on the retaining wall shall be done from the top of bank.
6. Work on the retaining wall shall be done at low tide only.
7. No machinery shall enter surface waters.
8. Repairs shall maintain existing size, location, and configuration.

9. All excavated material and construction related debris shall be placed outside DES Wetlands Bureau jurisdiction.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(C) repair or replacement of existing retaining wall.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these current retaining wall failed and is in need of replacement.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the replacement of the wall will retain soils and prevent further erosion.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES personnel inspected the site on 4/21/06 to follow-up on the owner's request to seek an emergency permit to repair a retaining wall.
6. Upon inspection DES finds that the wall had failed and needs to be repaired as soon as practicable. DES requested the owner, Mark Connolly, to submit a request to amend the current permit to include the wall repair.
7. On 4/27/2006, DES received a request to amend the current permit.

2005-02954 GELINAS, GERALD
DUNBARTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 1045 square feet of wetlands and seasonal stream to provide access to one lot of a three lot subdivision. Work to include installation of one crossing containing a 15 inch x 30 foot HDPE culvert.

Conservation Commission/Staff Comments:

The Conservation Commission signed the Minimum Impact Expedited Application, waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill approximately 972 square feet of wetlands to provide access to one lot (Tax Map/Lot B2-1-3) of a three lot subdivision. Work to include installation of one crossing containing a 15 inch x 30 foot HDPE culvert and headwalls.

With Conditions:

1. All work shall be in accordance with the subdivision plan and driveway culvert crossing plan by J.E. Belanger Land Surveying P.L.L.C., signature dated April 4, 2006, as received by the Department on April 7, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish & Game Department (NHFG) identified through their records that the Blanding's turtle, a species of special concern, has been identified in the vicinity of the proposed project. To provide adequate passage for aquatic species such as the Blanding's turtle, NHFG recommended the installation of a box culvert or bridge 1.2x stream width if crossing perennial streams such as Gorham Brook.
6. There are no perennial stream crossings proposed for this project.

2006-00406 ENFIELD, TOWN OF
ENFIELD Unnamed Stream

Requested Action:

Temporarily impact approximately 344 square feet of perennial stream to replace existing twin 72-inch x 73-foot CMP culverts with twin 60-inch x 73-foot HDPE culverts.

APPROVE PERMIT:

Temporarily impact approximately 344 square feet of perennial stream to replace existing twin 72-inch x 73-foot CMP culverts with twin 60-inch x 73-foot HDPE culverts.

With Conditions:

1. All work shall be in accordance with plans by Enfield Department of Public Works dated August 2005, as received by the Department on February 27, 2006.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Culverts shall be laid at stream bed grade.
13. No additional rip rap shall be placed within the stream channel.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

19. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.

20. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

22. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair, or replacement of existing culverts.

2. Existing CMP culverts are deteriorated and replacement is necessary.

3. The change in culvert dimensions is not significant.

4. The existing culvert inlets have lifted approximately 17-inches since installation and a scour pool has developed at the outlets; replacement culverts will be set at the stream bed elevation.

5. The DOT District Engineer in support of the proposed project and granted the Town of Enfield permission to work within the DOT ROW.

6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00537 GREAT BAY ENTERPRISES
PORTSMOUTH Unnamed Stream Wetland Ditch**

Requested Action:

Repair existing level spreader outlet structure and fill 2,550 square feet of man-made wetlands that formed as a result of the structure failure and subsequent drainage and erosion.

Conservation Commission/Staff Comments:

Conservation Commission signed application and requested conditions which have been included in permit.

APPROVE PERMIT:

Repair existing level spreader outlet structure and fill 2,550 square feet of man-made wetlands that formed as a result of the structure failure and subsequent drainage and erosion.

With Conditions:

1. All work shall be in accordance with plans by Sain Associates Inc. dated 3/21/2005, as received by the Department on 3/10/2006, and per material by Wetland Consulting Services dated 2/23/2006, as received by the Department on 3/10/2006.

2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Invasive vegetation shall be disposed of in a manner which will ensure that there is no spread of invasive plant species to other locations.

6. The applicant shall either remove silt fence upon vegetative stabilization or use biodegradable silt fence.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of swamps or wet meadows.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The project will repair failed outlet structure, to return it to function as designed, which is necessary to control stormwater discharge from an existing Wal-Mart.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. It is necessary to fill the wetland to repair the structure's integrity. The "wetland" is a phragmites filled wet area that developed as a result of the failure.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00538 SILVA TRUST, ROBERT & GAIL
WEARE Unnamed Wetland**

Requested Action:

Dredge and fill 1,400 square feet of palustrine emergent wetlands to install one (1) 15-inch x 20-foot culvert and associated outlet protection to construct an access road to two parking lots for an existing RV center.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 1,400 square feet of palustrine emergent wetlands to install one (1) 15-inch x 20-foot culvert and associated outlet protection to construct an access road to two parking lots for an existing RV center.

With Conditions:

1. All work shall be in accordance with plans by The Civil Engineers, Inc. and Arthur F. Siciliano Jr. dated April 2006 (revised), as received by the DES Wetlands Bureau on May 1, 2006.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. All work shall be done during low flow.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.

8. Silt fence(s) must be removed once the area is stabilized.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Proper headwalls shall be constructed within seven days of culvert installation.

11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of an access road to two proposed parking lots for an existing RV center.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The access road was configured to cross the wetlands at the narrowest point from a location on the existing main access road. The proposed parking lots are configured to avoid wetlands impacts.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed access road and parking lots are located across an existing main access road which serves two existing parking lots. The existing and proposed parking lots are located across Route 114 from the RV center. The two existing parking lots did not require wetlands impacts for access or construction.
6. The proposed parking lots will be used to store recreational vehicles by the RV center and will not be for public use.
7. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.

2006-00565 KENNARD, MICHAEL & JUDITH
NOTTINGHAM Unnamed Wetland Little River

Requested Action:

Dredge and fill 222 square feet of wetlands to install a 15" x 30' culvert for a driveway crossing to a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission signed application.

APPROVE PERMIT:

Dredge and fill 222 square feet of wetlands to install a 15" x 30' culvert for a driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants dated 3/2006, as received by the Department on 3/17/2006.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
6. No fill shall take place in Atlantic white cedar swamps.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning

- seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 10. Proper headwalls shall be constructed within seven days of culvert installation.
 11. Culvert outlets shall be properly rip rapped.
 12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 14. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01: the applicant must cross the wetland, which runs along the side of the road, to access the buildable upland area of the lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

The site has been examined for signs or potential habitat of the species reported by the NH Natural Heritage Bureau. The brook floater mussel's potential habitat of the Little River is 138' from the proposed culvert location, and is typically located several miles away in the Lamprey River. Northern black racer habitat would not be located in the proposed wetland impact area, and the sighting noted is approximately 1/2 mile away. The known Blandings turtle habitat will not be impacted by this culvert installation.

2006-00652 CLAREMONT, CITY OF
CLAREMONT Unnamed Wetland

Requested Action:

Temporary impact of 2,250 square feet of palustrine forested and emergent wetlands at two wetlands crossings in a utility right-of-way to extend an existing sewer line.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Temporary impact of 2,250 square feet of palustrine forested and emergent wetlands at two wetlands crossings in a utility right-of-way to extend an existing sewer line.

With Conditions:

1. All work shall be in accordance with plans by DuBois & King, Inc. dated April 2005, as received by the DES Wetlands Bureau on March 27, 2006, and the Project Description received by the DES Wetlands Bureau on March 27, 2006.
2. Any future work in the utility right-of-way that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be conducted under low flow or low groundwater conditions.
4. Equipment used in wetlands shall be designed to have low ground contact pressure or placed on temporary mats so as to minimize rutting of the soils. Mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
11. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
12. Any clearing required in utility rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
13. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
14. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
15. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
16. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the extension of an existing sewer line to provide public sewage service to residents.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The sewer line extension was configured to minimize wetlands impacts by minimizing wetlands crossings. A perennial stream crossing will be contained within the shoulder of an existing roadway and will not require additional wetlands impacts. The sewer line crossing over the Sugar River will be within an existing sleeve and will not impact the river channel or banks.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Per Wt 501.01, notification of abutters is not required for projects in utility rights-of-way.

APPROVE PERMIT:

Dredge and fill approximately 430 square feet of palustrine emergent wetlands and intermittent stream to construct a driveway to a single family building lot. Work includes installation of a 24 inch x 26 foot corrugated culvert and associated headwalls.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Hebert Assoc. Inc., revision dated March 26, 2006 and plans and narratives submitted by Gove Environmental Services, Inc., as received by the Department on April 04, 2006 and "Impact Amount Clarification" narrative and plan submitted by Gove Environmental Services, Inc., dated May 4, 2006, as received by the Department on May 04, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), less than 3,000 square feet of jurisdictional impact for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Natural Heritage Bureau (NHB) provided the project's agent with documentation that records of rare species and exemplary natural communities, the Blanding's Turtle (*Emydoidea blandingii*) and Banded Sunfish (*Enneacanthus obesus*), have been identified in the vicinity of the project site. The New Hampshire Fish and Game Department (NHFG) is the contact agency for animal species.
6. DES spoke with NHFG on May 4, 2006 and confirmed that the proposed project was not located where the identified species had been found. Additionally, it was determined that the proposed wetland impacts would not have a negative impact to the identified species due to the existing development in the area and the relative small size of the proposed wetland impacts.

2006-00733 HENMOR DEVELOPMENT LLC, BRIAN MORIARTY
MEREDITH Bryant Island

Requested Action:

Excavate 42 sq ft of bank and bed to install a conduit for electrical utility line to Bryant Island on Lake Wicwas, Meredith.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application but submitted numerous comments

APPROVE PERMIT:

Excavate 42 sq ft of bank and bed to install a conduit for electrical utility line to Bryant Island on Lake Wicwas, Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on April 05, 2006.
2. Area shall be regraded to original contours following completion of work.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ae), installation of residential utility lines and associated impacts to permit utility services.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has addressed all of the local Conservation Commission comments and concerns.

2006-00752 CLAUSS, CHARLES
UNITY Crescent Lake

Requested Action:

Replace an existing 53 ft perched beach wall and add 4 cubic yards of sand to the existing perched beach on Crescent Lake, Unity.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 53 ft perched beach wall and add 4 cubic yards of sand to the existing perched beach on Crescent Lake, Unity.

With Conditions:

1. All work shall be in accordance with plans by C J Clauss dated March 29, 2006, as received by the Department on April 06, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Repair shall maintain existing size, location and configuration.
5. Retaining wall shall be constructed in the same location as the existing retaining wall and no further lakeward than the existing retaining wall so as not to create land in public water.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00754 WAGNER, RICHARD
HEBRON Newfound Lake

Requested Action:

Permanently remove an existing "U" shaped seasonal docking facility and construct a 6 ft by 36 ft seasonal dock attached to a 7 ft by 3 ft concrete pad providing two boatslips on Newfound Lake, Hebron.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

NH NHI will not be submitting comments, NH Fish and Game has not submitted comments by April 27, 2006.

APPROVE PERMIT:

Permanently remove an existing "U" shaped seasonal docking facility and construct a 6 ft by 36 ft seasonal dock attached to a 7 ft by 3 ft concrete pad providing two boatslips on Newfound Lake, Hebron.

With Conditions:

1. All work shall be in accordance with plans by K Armstrong dated March 15, 2006, as received by the Department on April 06, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 36 feet from the shoreline at full lake elevation.
7. The concrete pad shall be located entirely behind the natural undisturbed shoreline.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

AGRICULTURE MINIMUM

2006-00043 MOULTON, JOHN
MEREDITH Unnamed Pond

Requested Action:

Dredge and fill 31,000 square feet of wet meadow for pond construction and drainage ditch maintenance for an existing agricultural entity.

APPROVE PERMIT:

Dredge and fill 31,000 square feet of wet meadow for pond construction and drainage ditch maintenance for an existing agricultural entity.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service, dated December 2005, as received by the Department on April 7, 2006.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.

4. Work shall be done during periods of non-flow.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All dredged materials shall be removed from DES Wetlands jurisdiction.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2006-00919 DAVIS, TIMOTHY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2006-00921 DAVIS, LISA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2006-00971 HUFF, LAWRENCE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2006-00927 WOLFEBORO, TOWN OF
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Woleboro Tax Map 164, Lot# 32

2006-00931 BRITTON, ALFRED & MARY
WALPOLE Unnamed Stream

COMPLETE NOTIFICATION:
Walpole Tax map 5, Lot# 57

LAKES-SEASONAL DOCK NOTIF

2006-00918 INGALLS, MURIEL
KINGSTON Great Pond/kingston Lake

COMPLETE NOTIFICATION:
Kingston Tax Map# 100 Lot# 193 Block# 13
Great Pond/Kingston Lake

2006-00959 BIRCH, KEITH
ALTON Hills Pond

COMPLETE NOTIFICATION:
Alton Tax Map# 10 Lot# 19 Block# 32 Hills Pond

2006-00960 KESLER, DAVID
NEW DURHAM Merry Meeting Lake

COMPLETE NOTIFICATION:
New Durham Tax Map# 21 Lot# 33 Merry Meeting Lake

2006-00962 DAVIDSEN, JOEL
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Moultonboro Tax Map# 7 Lot# 39 Lake Winnepesaukee

2006-00969 BREMNER, JOSEPH / LINDA
JAFFREY Gilmore Pond

COMPLETE NOTIFICATION:
Jaffrey Tax Map# 222 Lot# 2 Gilmore Pond

2006-00972 **BYRNE, JAMES JR / CAROLYN**
NEW LONDON **Messer Pond**

COMPLETE NOTIFICATION:

New London Tax Map# 106 Lot# 017-000 Messer Pond

2006-00973 **HEATH SR, MICHAEL**
(ALL TOWNS) **Unnamed Stream**

Conservation Commission/Staff Comments:

cc: Bath Con Comm

ROADWAY MAINTENANCE NOTIF

2006-00978 **NH DEPT OF TRANSPORTATION**
STODDARD **Unnamed Stream**

PERMIT BY NOTIFICATION

2006-00543 **SKIBICKI, RONALD & LORRAINE**
JACKSON **Unnamed Wetland**

Requested Action:

Disqualify Permit by Notification to dredge and fill approximately 2,000 square feet of wetlands for driveway access to a single family residence.

PBN DISQUALIFIED:

Dredge and fill approximately 2,000 square feet of wetlands for driveway access to a single family residence.

With Findings:

1. A request for additional information dated March 23, 2006, addressed to the applicant or agent of record requiring the applicant to submit additional information to DES within 20 days of the request.
2. DES did not receive the requested additional information within the 20 days and therefore the application has been disqualified.

2006-00564 **WINMIIR CONDOMINIUM ASSOCIATION**
TUFTONBORO **Lake Winnepesaukee**

Requested Action:

Repair/replace an existing drainage trench circumscribing the exisitng beach.

PBN IS COMPLETE:

Repair/replace an existing drainage trench circumscribing the existing beach.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.

2006-00693 TYMAR LAND DEVELOPMENT
MASON Unnamed Wetland

Requested Action:

Temporary impact of 50 square feet in the bank and bed of a pond for installation of a dry hydrant for a 10-lot residential subdivision on an approximately 77 acre parcel with approximately 12 acres of open space.

Conservation Commission/Staff Comments:

The Conservation Commission signed the PBN but did not submit comments.

PBN IS COMPLETE:

Temporary impact of 50 square feet in the bank and bed of a pond for installation of a dry hydrant for a 10-lot residential subdivision on an approximately 77 acre parcel with approximately 12 acres of open space.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
2. No other impacts to areas under the DES Wetlands Bureau's jurisdiction were required for the subdivision.
3. The applicant has indicated that a fire pond easement around the existing pond will be granted to the Town of Mason.

2006-00802 MARIN WAY INVESTMENT CORP
STRATHAM Unnamed Wetland

Requested Action:

Temporarily impact 337 sq. ft. of emergent wetland to install a 10" diameter fire service line adjacent to the existing 6" diameter fire service line providing fire protection to a warehouse building.

Conservation Commission/Staff Comments:

The Stratham Conservation Commission signed the PBN.

PBN IS COMPLETE:

Temporarily impact 337 sq. ft. of emergent wetland to install a 10" diameter fire service line adjacent to the existing 6" diameter fire service line providing fire protection to a warehouse building.

2006-00843 FITTS, JAMES
BRIDGEWATER Unnamed Stream

Requested Action:

Replace existing 24-inch x 12-foot culvert with a new 24-inch x 12 foot culvert in an unnamed stream.

PBN IS COMPLETE:

Replace existing 24-inch x 12-foot culvert with a new 24-inch x 12 foot culvert in an unnamed stream.

2006-00884 **SCOTT, RUSSELL & JOYCE**
ALTON BAY **Lake Winnepesaukee**

Requested Action:

Installation of two PWC lifts.

PBN IS COMPLETE:

Installation of two PWC lifts.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ad) installation of PWC lifts.

2006-00885 **MCDONOUGH, ANNE**
MOULTONBOROUGH **Lake Winnepesaukee**

Requested Action:

Beach replenishment with less than 5 cu yds.

PBN IS COMPLETE:

Beach replenishment with less than 5 cu yds.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa) beach replenishment.

2006-00903 **EVERETT, LINNEA**
HEBRON **Newfound Lake**

Requested Action:

Beach replenishment with less than 5 cu yds

PBN IS COMPLETE:

Beach replenishment with less than 5 cu yds

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa) beach sand replenishment.

2006-00904 **KRAUSS, KENNETH**
MEREDITH **Lake Winnepesaukee**

Requested Action:

Repair/Replace existing 16 ft 4 in x 24 ft deck, and associated structures.

PBN IS COMPLETE:

Repair/Replace existing 16 ft 4 in x 24 ft deck, and associated structures.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x) maintenance, repair, and replacement in-kind of existing structures.

2006-00905 FRAMPTON, CHARLES & DONNA
MEREDITH Lake Winnepesaukee

Requested Action:

Repair/Replace existing piling supported pier and two tie-off pilings "in-kind" on 100 ft of frontage in Meredith on Lake Winnepesaukee.

PBN IS COMPLETE:

Repair/Replace existing piling supported pier and two tie-off pilings "in-kind" on 100 ft of frontage in Meredith on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00907 FINEGAN, WILLIAM
GILFORD Lake Winnepesaukee

Requested Action:

Install a 6 ft x 4 ft concrete anchoring pad to support an existing 6 ft x 40 ft seasonal pier on 72 ft of frontage on Lake Winnepesaukee.

PBN IS COMPLETE:

Install a 6 ft x 4 ft concrete anchoring pad to support an existing 6 ft x 40 ft seasonal pier on 72 ft of frontage on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ab) installation of an anchoring pad for a seasonal dock.